

00-2615 VOL 679 PAGE 337  
**PRIVATE ROADWAY EASEMENT  
AND UTILITY EASEMENT**

The State of Texas )

KNOW ALL MEN BY THESE PRESENTS:

Harris county )

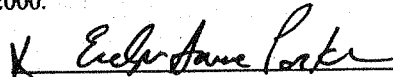
That I, Evelyn Anne Parker (hereinafter referred to as Seller), have SOLD, ASSIGNED, and CONVEYED to Ideal Abilities (hereinafter referred to as Buyer) a private roadway easement and right-of-way over, across, through, and under a certain tract of land in the Cullen Arnett Survey, Abstract No. 39, Tyler county, The State of Texas, (as recorded at volume 669, page 560 of the records of Tyler county), being 50 feet in width and being 1.893 acres, more or less, more particularly described by metes and bounds as shown on the Exhibit "A" attached hereto and made a part hereof for all intents and purposes, for the purpose of establishing, constructing, maintaining, repairing, and reconstructing said private roadway and ingress and egress over and through said private roadway.

And under the same terms Seller does further sell, assign, and convey to Buyer, his successors, executors, administrators, heirs, and assigns, a general utility easement along said private roadway easement for the purposes of installing and maintaining utilities.

TO HAVE AND TO HOLD said private roadway easement and right-of-way and general utility easement and all rights and benefits necessary and convenient for the full use and enjoyment of the rights herein sold to the Buyer, his heirs, administrators, successors, executors, and assigns forever; provided, however, that the use of the easement across the above described property shall not be exclusive with Buyer but is in common with other original Grantees and the original Grantor, their heirs, executors, administrators, successors, assigns, and tenants.

Seller and Buyer agree that, when the context requires, singular nouns and pronouns include the plural. Seller and Buyer further agree that, where any paragraph or sentence of this warranty deed might be severable under final formal order of a court of competent jurisdiction, the remaining paragraphs and sentences shall stand intact as the full and final agreement.


EXECUTED this 10<sup>th</sup> day of July, 2000.

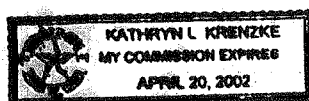
  
Evelyn Anne Parker

The State of Texas )

Harris county )

This instrument was acknowledged before me as a free act and deed on the 10<sup>th</sup> day of July, 2000, by Evelyn Anne Parker.

  
NOTARY PUBLIC, STATE OF TEXAS



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EXHIBIT A

FIELDNOTE DESCRIPTION  
(2 PAGES)

FIELDNOTES TO 1.893 ACRES OF LAND AS SITUATED IN THE CULLEN ARNETT SURVEY, A-39, TYLER COUNTY, TEXAS AND BEING A OUT OF AND A PART OF THAT SAME CALLED 75 ACRES, MORE OR LESS, DESIGNATED AS "TRACT NO. 1" AS CONVEYED TO HARRY W. STAFFORD BY DEED RECORDED IN VOLUME 610, PAGE 494 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY. SAID 1.893 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1-1/2" IRON PIPE FOUND ON THE SOUTH LINE OF SAID STAFFORD 75 ACRES FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF THIS TRACT AND THE SOUTHWEST CORNER OF A 12.857 ACRE TRACT SURVEYED THIS DATE OUT OF SAID 75 ACRES AND SAME BEING THE NORTHWEST CORNER OF THE JIM NUGENT 5.00 ACRE TRACT RECORDED IN VOLUME 465, PAGE 941 AND BEING THE NORTHEAST CORNER OF THE EARL N. HAMILTON 37.55 ACRE TRACT RECORDED IN VOLUME 332, PAGE 223 OF THE DEED RECORDS OF TYLER COUNTY;

THENCE N 01°45'40"W, WITH THE WEST LINE OF SAID 12.857 ACRE TRACT, AT 33.40 FT. PASS THE CENTER OF COUNTY ROAD NO. 3050, IN ALL A TOTAL OF 1034.67 FT. TO A 1/2" IRON ROD SET FOR THE MOST WESTERLY NORTHWEST CORNER OF SAID 12.857 ACRES AND AN INTERIOR ANGLE CORNER OF THIS TRACT;

THENCE N 42°48'E 42.74 FT., WITH THE NORTHWEST LINE OF SAID 12.857 ACRES, TO A 1/2" IRON ROD SET FOR THE MOST NORTHERLY NORTHWEST CORNER OF SAME AND ANOTHER INTERIOR ANGLE CORNER OF THIS TRACT;

THENCE N 87°22'15"E 496.46 FT., WITH THE NORTH LINE OF SAID 12.857 ACRES, TO A 5/8" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAME AND THE MOST EASTERLY SOUTHEAST CORNER OF THIS TRACT AND THE SOUTHWEST CORNER OF A 12.689 ACRE TRACT SURVEYED THIS DATE OUT OF SAID 75 ACRES;

THENCE N 01°45'40"W 50.00 FT., WITH THE WEST LINE OF SAID 12.689 ACRES, TO A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER OF THIS TRACT, SAME BEING THE SOUTHEAST CORNER OF A 11.942 ACRE TRACT ALSO SURVEYED THIS DATE OUT OF SAID STAFFORD 75 ACRES;

THENCE S 87°22'15"W 576.46 FT., WITH THE SOUTH LINE OF SAID 11.942 ACRE TRACT, TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF SAME AND THE NORTHWEST CORNER OF THIS TRACT ON THE EAST LINE OF A 17.299 ACRE TRACT SURVEYED THIS DATE OUT OF SAID STAFFORD 75 ACRES;

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PAGE 2  
1.893 ACRES

THENCE S 01°45'40"E, AT 50.00 FT. PASS THE SOUTHEAST CORNER OF SAID 17.299 ACRES AND THE NORTHEAST CORNER OF AN 18.605 ACRE TRACT ALSO SURVEYED OUT OF SAID 75 ACRES AND CONTINUING WITH THE EAST LINE OF SAID 18.605 ACRES, AT 1081.56 FT. AGAIN PASS THE CENTER OF COUNTY ROAD NO. 3050, IN ALL A TOTAL OF 1113.66 FT. TO A 1/2" IRON ROD SET FOR THE SOUTHEAST OF SAID 18.605 ACRES AND THE SOUTHWEST CORNER OF THIS TRACT ON THE SOUTH LINE OF SAID 75 ACRES AND THE NORTH LINE OF THE PREVIOUSLY MENTIONED HAMILTON 37.55 ACRE TRACT;

THENCE N 88°32'E 50.00 FT., WITH THE NORTH LINE OF SAID HAMILTON TRACT AND THE SOUTH LINE OF SAID STAFFORD 75 ACRES, TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 1.893 ACRES OF LAND.

SURVEYED MARCH 2, 1999

I, LYLE RAINEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE FIELDNOTE DESCRIPTION OF THE ABOVE DESCRIBED TRACT WAS PREPARED FROM AN ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS TRUE AND CORRECT.

*Lyle Rainey*  
LYLE RAINEY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 4800



EXHIBIT "A"

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THE STATE OF TEXAS  
COUNTY OF TYLER

I hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office on the 4 day of January 2000 at 11:30 o'clock A. M. and was this day duly recorded at 9:00 A.M., in Vol. 669 Pages 560 at seq. OFFICIAL PUBLIC RECORDS of said County.

5 Witness my hand and official seal at office in Woodville this day of January 2000.



*Dorcas Thompson* Clerk.  
County Court, Tyler County, Texas

By *Dean Rivers* Deputy

THE STATE OF TEXAS  
COUNTY OF TYLER

I hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office on the 7 day of January 2000 at 11:30 o'clock A. M. and was this day duly recorded at 9:00 A.M., in Vol. 669 Pages 560 at seq. OFFICIAL PUBLIC RECORDS of said County.